

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MASSACHUSETTS**

CIVIL ACTION #04 11917 WGY

WILLIAM ROWE,

PLAINTIFF

v.

SHARRON WENDY VALLIERE,

DEFENDANT

**ATTORNEY'S AFFIDAVIT IN SUPPORT
OF MOTION TO DISMISS
AND FOR COSTS**

NOW COMES Carol A. Witt, in the above-entitled matter and under oath deposes and says that:

1. I am the attorney of record for Sharron Wendy Valliere, and I am making this affidavit in support of Defendant's Motion to Dismiss and for Costs pursuant to 28 U.S.C. § 1919.
2. I am admitted to practice in the Commonwealth of Massachusetts and the United States District Court for the Eastern District of Massachusetts.
3. The Defendant contends that this case lacks diversity of citizenship, should be dismissed as a matter of law, and that the Defendant is entitled to recover her reasonable costs.
4. Based on my years of experience, the reasonable hourly charge for my services is \$300.00 per hour. Costs incurred by the Defendant to date due to this litigation are itemized as follows:

<u>Date</u>	<u>Description</u>	<u>Time</u>	<u>Cost</u>
09/03/2004	Review District Court Complaint	0.2	\$60.00
09/03/2004	Telephone call and fax transmission to client	0.4	\$120.00

09/20/2004	Research on diversity jurisdiction	1.0	\$300.00
09/20/2004	Telephone call with client	0.2	\$60.00
09/20/2004	Preparation of Motion to Dismiss	1.0	\$300.00
09/20/2004	Preparation of Affidavit in Support of Motion to Dismiss	1.0	\$300.00
09/21/2004	Revise pleadings and affidavit	0.5	\$150.00
09/21/2004	Phone calls and emails with client	0.5	\$150.00
09/22/2004	Preparation of Memorandum in Support of Motion to Dismiss	1.0	\$300.00
09/22/2004	Letter to Court	0.2	\$60.00
09/22/2004	Letter to Opposing Counsel	0.2	\$60.00
	Total Fees to Date	6.2	<u>\$1860.00</u>


Signed under the penalties of perjury this 22ND day of September 2004.


Carol A. Witt

Commonwealth of Massachusetts


Essex, ss.

On this 22nd day of September, 2004, personally appeared before me Carol A. Witt, who proved to me through satisfactory evidence of identification, to wit, personal knowledge of her identity, to be the signer of the foregoing document, and who swore or affirmed to me that the contents of said document are truthful and accurate to the best of her knowledge and belief.


Donna M. Saunders/Notary Public
My Commission expires August 21, 2009

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for the Plaintiff by mail, postage prepaid, on September 22, 2004.



Carol A. Witt